

Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 198734

15

ORIGIN EB-11

INFO OCT-01 EUR-25 ISO-00 CAB-09 CIAE-00 COME-00 DODE-00

 DOTE-00 INR-11 NSAE-00 RSC-01 FAA-00 L-03 /061 R

DRAFTED BY EB/AN:MHSTYLES:DAP

APPROVED BY EB/AN:MHSTYLES

CAB/BOE - MR. HAMILTON

EUR/CE - MR. BECKER

FAA - MR. JETT

----- 095413

R 102208Z SEP 74

FM SECSTATE WASHDC

TO USMISSION BERLIN

AMEMBASSY BONN

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

LIMITED OFFICIAL USE STATE 198734

E.O. 11652:N/A

TAGS: EAIR, WB, GW

SUBJECT: CIVAIR: AERO AMERICA

REF: BERLIN 1502

1. AEROAMERICA IS A PART 121 COMMERCIAL OPERATOR OWNED AND CONTROLLED BY JOEL AND JUNE EISENBERG AND IS THE BROTHER-SISTER CORPORATION OF AMERICAN AVIATION SERVICES, A FIXED BASE MAINTENANCE COMPANY. LATTER COMPANY OWNS TWO AND A MINOR DAUGHTER OF EISENBERGS OWNS ONE OF THE THREE B-720 AIRCRAFT WHICH AEROAMERICA HAS ON DRY LEASE. EISENBERGS ARE RESPONDENTS IN CAB ENFORCEMENT PROCEEDING AGAINST CLUB INTERNATIONAL (A TRAVEL CLUB). PROCEEDING ALLEGES THAT CLUB INTERNATIONAL ENGAGES IN COMMON CARRIAGE AND THUS REQUIRES CAB AUTHORITY. CAB ADMINISTRATIVE LAW JUDGE RECOMMENDED CASE BE DISMISSED AS TO EISENBERGS BUT NOT CLUB INTERNATIONAL. CASE NOW STANDS BEFORE BOARD FOR FINAL DECISION.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 198734

2. AEROAMERICA ON AUGUST 13 FILED PETITION WITH CAB FOR APPROVAL TO ACQUIRE MODERN AIR TRANSPORT (WHICH WHOLLY OWNED BY GAC CORPORATION) AND, PENDING SUCH APPROVAL, TO ENTER INTO INTERIM FINANCIAL AND MANAGEMENT ASSISTANCE AGREEMENT WITH MAT. UNDER LATTER AGREEMENT, AEROAMERICA WOULD WET LEASE ITS 3 B-720 AIRCRAFT, AND UP TO 3 MORE WHICH IT MAY ACQUIRE, TO MAT IN ORDER CONTINUE MAT'S OPERATIONS. MAT'S CONVAIR 990'S WOULD NOT BE OPERATED BUT

HELD FOR SALE. AEROAMERICA MAY TERMINATE ACQUISITION AGREEMENT IF CAB DOES NOT APPROVE INTERIM AGREEMENT BY OCTOBER 1, 1974, OR IF IT DOES NOT APPROVE ACQUISITION AGREEMENT BY OCTOBER 1, 1975. AEROAMERICA ALSO SEEKS FROM CAB EXEMPTION AUTHORITY TO PERFORM MAT'S COMMON CARRIER FUNCTIONS UNDER ITS CAB CERTIFICATE. NUMBER OF CARRIERS HAVE FILED WITH CAB OPPOSING AEROAMERICA-MAT AGREEMENTS ON VARIETY GROUNDS.

3. FOREGOING ALL IN PUBLIC RECORD.

4. IF NOT CLEAR TO US WHETHER MAT'S REQUEST FOR USG ASSURANCES WITH RESPECT AEROAMERICA (BONN 13584) NO LONGER NEEDED IN VIEW REPORT IN BERLIN 1502 THAT AEROAMERICA HAS ALREADY OBTAINED BFR CONTRACT. IN ANY EVENT, EMBASSY SHOULD NOT PROVIDE THE ASSURANCES REQUESTED SINCE NO USG AGENCY CAN LEGALLY OR PROPERLY GIVE SUCH ASSURANCES.

5. RE BONA FIDES OF AEROAMERICA, DEPARTMENT NOT AWARE ANY SUBSTANTIATED EVIDENCE THAT IT WOULD NOT BE QUALIFIED TO OPERATE BERLIN CHARTERS. NEVERTHELESS, IN VIEW ENFORCEMENT PROCEEDING INVOLVING EISENBERGS AND NUMEROUS ALLEGATIONS THAT AEROAMERICA IS ENGAGED IN COMMON CARRIAGE WITHIN U.S. WITHOUT CAB AUTHORITY, DEPARTMENT BELIEVES THAT ANY AEROAMERICA APPLICATION TO ATTACHES SHOULD BE CONSIDERED MOST CAREFULLY. KISSINGER

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PASSENGER TRANSPORTATION, AVIATION REGULATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 10 SEP 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: kelleyw0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE198734
Document Source: CORE
Document Unique ID: 00
Drafter: MHSTYLES:DAP
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740252-0983
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740958/aaaabxgw.tel
Line Count: 96
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: BERLIN 1502
Review Action: RELEASED, APPROVED
Review Authority: kelleyw0
Review Comment: n/a
Review Content Flags:
Review Date: 25 APR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <25 APR 2002 by rowelle0>; APPROVED <12 MAR 2003 by kelleyw0>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CIVAIR: AERO AMERICA
TAGS: EAIR, WB, GE
To: BERLIN BONN
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005